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37 C.F.R. 1.8

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Stanislaw R. Burzynski

Serial No.: 09/603,320

Filed: June 26, 2000

For: PHENYLACETIC ACID COMPOSITIONS
FOR TREATING OR PREVENTING
HYPERCHOLESTEROLEMIA

Confirmation No: 3169

Group Art Unit: 1617

Examiner: BAHAR, M.

Atty. Dkt. No.: 10379.0046.NPUS00
(BURG046---)

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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

BOX AF

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed August 14, 2001, finally rejecting claims 1-4, 8, and 19-23 and withdrawing to claim 16 from consideration.

The Commissioner is authorized to charge the fee of **\$160.00** to Deposit Account No. 01-2508/10379.0046.NPUS, which is the small entity fee for filing this Notice of Appeal.

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Should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Deposit Account No. 01-2508/**10379.0046.NPUS00**.

Please date stamp and return the enclosed postcard to evidence receipt of this document.

Respectfully submitted,



Matthew Madsen
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Agent for Applicant

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Date: 14 November 2001